

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

D. GEORGE SWEIGERT

Plaintiff,

: Case No.: 1:18-cv-08653-VEC-SDA

v.

: **NOTICE OF MOTION**

JASON GOODMAN,

Defendant.

PLEASE TAKE NOTICE that pursuant to the Court's Order dated May 4, 2021 (Docket No. 270), Defendant Jason Goodman will move this Court on July 16, 2021, or as soon thereafter as the parties may be heard, for an Order under Fed. R. Civ. P. 56:

- (1) entering Summary Judgment in favor of Defendant as to Plaintiff's claim for defamation *per se* and *per quod*;
- (2) entering Summary Judgment in favor of Defendant as to Plaintiff's claim under §§ 50-51 of the New York Civil Right Law;
- (3) entering Summary Judgment in favor of Defendant as to Defendant's counterclaim under the New York anti-SLAPP Law, together with an order scheduling further proceedings to quantify Defendant's damages (New York Civil Rights Law §§ 70-a and 76-a);
- (4) declaring that the dismissal of Plaintiff's claims is deemed to be a full and final adjudication on the merits of all claims that Plaintiff has asserted against Defendant or could have asserted as of the date of the entry of judgment;

- (5) declaring that Plaintiff Sweigert is a vexatious litigant and ordering that Sweigert make a showing of good cause before commencing another *pro se* action in this Court. *See Ajamian v. Nimeh*, 2014 WL 6078425, at *3 (N.D.N.Y. Nov. 13, 2014);
- (6) declaring that Plaintiff Sweigert's bad faith, frequent address changes, frivolous assertion of diversity jurisdiction, and abuse of process constitute a fraud on this court; and
- (7) granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's order of May 4, 2021 (Docket No. 270), Plaintiff's opposition papers shall be filed no later than July 1, 2021, and that Defendant's reply papers shall be filed no later than July 15, 2021.

Dated: New York, New York
May 31, 2021



Jason Goodman
Pro Se Defendant¹

¹ Goodman was assisted by counsel in preparing these motion papers.